UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,569	12/29/1999	ROLAND LAMER	70191/239	2393

7590 01/11/2008	**EXAMINER**
JOSEPH D KUBORN	TRAN, MYLINH T
ANDRUS SCEALES STARKE & SAWALL	

ART UNIT	PAPER NUMBER
2179	

100 EAST WISCONSIN AVENUE SUITE 1100
MILKWAUKEE, WI 53202

MAIL DATE	DELIVERY MODE
01/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Office Action Summary	**Application No.** 09/474,569	**Applicant(s)** LAMER, ROLAND
		Examiner Mylinh Tran	**Art Unit** 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 October 2007_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,4-10,13,14,18-23,27-32 and 35_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1, 4-10, 13-14, 18-23, 27-32 and 35_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 10/26/07 has been entered and carefully

considered. Claims 1, 14, 23 and 32 have been amended. However, the

limitations of the amended claims have not been found to be patentable over

prior art of record, therefore, claims 1, 4-10, 13-14, 18-23, 27-32 and 35 are

rejected under the new ground of rejection as set forth below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented
and the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4-10, 13-14, 18-23, 27-32 and 35 are rejected under 35 U.S.C.

103(a) as being unpatentable over Wong in view of Diano et al. [US. 6,556,698]

As per claims 1, 14, 23 and 32, Wong teaches a computer implemented

method and corresponding system for integrating patient data comprising the

steps/means:

a display unit (e.g. 38 of fig. 1); a first application configured to display patient

images for a patient on the display unit (col. 7, lines 42-51) and generate a set

of patient context data for the patient (col. 7, line 59 - col. 8, line 14), wherein

the first application is configured to retrieve patient image data from a picture

archival and communication system (PACS) (column 7, lines 28-58),

wherein the set of patient context data including patient and user information

(column 3, lines 30-52, "Medical images and associated medical information,

and indeed general patient data, can then be made uniformly available to user

workstations" and "The system also includes a security object server, for

authorizing user access to the image distribution system and to particular

objects....);

a second application configured to retrieve a set of patient textual data from a

radiology information system (RIS) (col. 7, line 59 - col. 8, line 14);

and a workstation coupled to the display unit and configured to operate both the

first application and the second application that reside on the workstation (col.

8, lines 15-30), the second application configured to receive the set of patient

context data and to retrieve and display the set of patient textual data on the

display unit in response to the retrieval of the patient image data and generation

of the set of patient context data (col. 7, line 59 - col. 8, line 14), wherein the

first application is configured to retrieve patent image data for a picture archival

and communication system (column 3, lines 30-41 "The middleware software of

the present invention which processes data and requests to existing PAC and

RI systems into a common format and structure. Medical images and

associated medical information, and indeed general patient data, can then be

made uniformly available to user workstations. A single workstation can access

data from a diverse range of prior-art PAC and RI systems by running single

client software....Further, existing PAC and RI systems can efficiently exchange

data through the medium of this common format and structure."

Wong fail to clearly teach "the set of patient context data have to directly

generate from PACS and directly send this context data to the RIS". However,

Diano teaches the feature at column 6, lines 5-60. It would have been obvious

to one of ordinary skill in the art, at the time the invention was made, to combine

this teaching of directly generating from PACS and directly sending this context

data to the RIS of Dino with the Wong's teaching. The motivation of the

combination would have been to provide a better interface for those who might

need.

Wong fails to clearly teach the step of automatically generate a set of patient

context data for the patient from the retrieve patient image data and the first

application configured to send the automatically generated the set of patient

context data to the second application after the patient image data is retrieved.

However, Dino teach the step of extracting a patient ID code at figure 3, column

5, lines 36-63. It would have been obvious to one of ordinary skill in the art, at

the time the invention was made, to combine the teaching of Dino with the

Wong's system. The motivation of the combination would have been to provide

a enhanced GUI appearance for the medical system.

As per claim 4, Wong teaches the system is used to display medical images

with different resolutions (col. 10, lines 25-27); Wong, however, does not

suggest the display monitor having a resolution of at least 90 dpi. This feature is taught by Applicant's admitted prior art (pages 1-2 of the specification). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a display monitor having a resolution of at least 90 dpi in Wong's system since it would have displayed medical images with a higher quality.

As per claims 5, 20 and 29, Wong teaches the second application is selected from the group consisting of a case sign out application, a report entry application, an order detailing application, and an order viewer application (col. 11, lines 35-39).

As per claim 6, Wong further teaches comprising a second workstation coupled to the workstation, the second workstation configured to operate the second application (e.g. col. 7, lines 59-65).

As per claims 7 and 8, Wong teaches the second application is coupled to the first application via an object request broker and further comprising a bridge coupled between the second application and the object request broker, wherein the second application communicates via the component object model (COM) (col. 7, line 59 - col. 8, line 14 and col. 12, lines 59-62).

As per claims 9, 10, 21 and 30, Wong further teach. the first application generating the patient context data in response to user input at the input unit, wherein the input unit is selected from the group consisting of a mouse, a voice recognition system, a keystroke, a switch, and a light pen (col. 8, line 53 - col. 9, line 21).

As per claims 13, 22 and 31, Wong teaches the patient data includes patient examination information (col. 11, lines 36-41).

As per claims 18, 19, 27 and 28, Wong teaches the step of sending includes generating an event based on the patient context data and providing the event to the second application and further comprising converting the event from a first object model to a second object model and providing the converted event to the second application (col. 10, line 48 - col. 11, line 16).

As per claim 35, Wong further teaches a third application in data communication with the first application, the third application configured to receive the set of patient context data sent from the first application and to retrieve and display patient data for the patient based on the set of patient context data (col. 7, line 59 - col. 8, line 14 and col. 12, lines 59-62).

Response to Arguments

Applicant has argued that Wong does not teach automatically generating a set of patient context data with the first application nor sending this automatically generated context data to the second application. Applicant's arguments have been considered but are moot in view of the new ground of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the

advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a)

will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from

the date of this final action.

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Mylinh Tran. The examiner can

normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

The fax phone numbers for the organization where this application or

proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

WEILUN LO
SUPERVISORY PATENT EXAMINER